

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

SCOTT HINTZ and)	
JS OF GEORGIA, INC., a Delaware)	
Corporation and its successors and assigns,)	
PT HOLDINGS, GROUP I, INC., a Delaware)	
corporation and its successors and assigns,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION
)	FILE NO.
)	1:11-cv-00265-JOF
GEROVA FINANCIAL GROUP, LTD.;)	
JOSEPH BIANCO; GARY HIRST; JASON)	
GALANIS; ROBERT WILLISON; GEROVA)	
HOLDINGS, LTD.; NET FIVE HOLDINGS,)	
LLC; NET FIVE GROUP, LLC;)	
FUND.COM, INC; EQUITIES MEDIA)	
ACQUISITION CORP. INC.; PLANET FIVE)	
DEVELOPMENT GROUP, LLC; PLANET)	
FIVE AT GEROVA, LLC; PAUL ROHAN;)	
NOBLE INVESTMENT FUND, LTD.;)	
GREGORY LAUBACH; GEROVA REAL)	
ESTATE GROUP, LLC; ERIC HALTER;)	
DAVID ZORN; JOHN DOE; AND JOHN)	
DOE COMPANY,)	
)	
Defendants.)	
)	

VOLUNTARY DISMISSAL WITHOUT PREJUDICE

COMES NOW, Plaintiffs, named above, by and through the undersigned attorney, and, as of right, pursuant to Local Rule 41.1, hereby dismisses this action

WITHOUT prejudice. Plaintiffs assert claims are valid and have exerted their rights to voluntarily dismiss this action without prejudice due to the very recent activity of one or more Defendants. Plaintiffs will examine the new evidence and new claims in consideration of future actions. Petitioners have decided this strategic decision to dismiss this action, without prejudice, is necessary to consider the new evidence and each option now available to the Petitioners. The Clerk of Court is hereby requested and authorized to mark this action as DISMISSED WITHOUT PREJUDICE.

Respectfully submitted, this 11th day of May, 2011.

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s/Bryan J. Rush
Bryan J. Rush
Georgia State Bar No.: 201097
Douglas J. Davis
Georgia State Bar No.: 207950
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that I have this date served the foregoing *VOLUNTARY DISMISSAL WITHOUT PREJUDICE* upon all other parties in this action through the District Court's electronic case filing system and by U.S. mail as follows:

Steven J. Estep, Esq.
COHEN, COOPER, ESTEP & ALLEN
3330 Cumberland Boulevard, Suite 600
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Submitted this 11th day of May, 2011.

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